

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

MAY 11 2021

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JUNG WON YUN,

Petitioner-Appellant,

v.

CHUNG CHA KIM; et al.,

Respondents-Appellees.

No. 21-55049

D.C. No. 5:20-cv-02266-DMG-JPR  
Central District of California,  
Riverside

ORDER

Before: PAEZ, BERZON, and HUNSAKER, Circuit Judges.

Upon a review of the record, the opening brief, and the response to the court's March 24, 2021 order, we conclude this appeal is frivolous. We therefore deny appellant's motions to proceed in forma pauperis (Docket Entry Nos. 3, 8 & 9), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

All other pending motions are denied as moot.

**DISMISSED.**

JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Jung Won Yun,

v.

PLAINTIFF(S)

Chung Cha Kim, et al.,

DEFENDANT(S)

CASE NUMBER

EDCV20-2266-DMG (JPRx)

**ORDER RE REQUEST TO PROCEED  
IN FORMA PAUPERIS**

IT IS ORDERED that the Request to Proceed *In Forma Pauperis* is hereby GRANTED.

Date

United States Magistrate Judge

IT IS RECOMMENDED that the Request to Proceed *In Forma Pauperis* be DENIED for the following reason(s):

- ☐ Inadequate showing of indigency  
☒ Legally and/or factually patently frivolous  
☐ Other: \_\_\_\_\_

- ☒ District Court lacks jurisdiction  
☐ Immunity as to \_\_\_\_\_

Comments: Petitioner's request that the Court reverse certain orders in his state-court divorce proceedings is barred by the Rooker-Feldman doctrine. See Moore v. County of Butte, 547 F. App'x 826, 829 (9th Cir. 2013); Safapou v. Marin County, 787 F. App'x 975, 976 (9th Cir. 2019). Because he does not challenge the constitutionality of California's statute concerning vexatious litigants but rather seeks only to overturn the state court's order declaring him one because he is remorseful and has been stigmatized by the order, Rooker-Feldman applies to that order as well. See Bashkin v. Hickman, 411 F. App'x 998, 999 (9th Cir. 2011).

Date Nov. 2, 2020

United States Magistrate Judge

IT IS ORDERED that the Request to Proceed *In Forma Pauperis* is hereby:

- ☐ GRANTED  
☒ DENIED (see comments above). IT IS FURTHER ORDERED that:  
☐ Plaintiff SHALL PAY THE FILING FEES IN FULL within 30 days or this case will be dismissed.  
☒ This case is hereby DISMISSED immediately.  
☐ This case is hereby REMANDED to state court.

November 3, 2020  
 Date

*Dolly M. Lee*  
 United States District Judge

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**Additional material  
from this filing is  
available in the  
Clerk's Office.**